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10/047,004	01/16/2002	Maria Azua Himmel	AUS920010629US1	6341

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EXAMINER

PWU, JEFFREY C

ART UNIT PAPER NUMBER

2143

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/047,004

Applicant(s)

HIMMEL ET AL.

Examiner

Jeffrey Pwu

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/13/02
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 2 recites the limitation "e-mail" and "additional items" in claim 1. There is insufficient antecedent basis for this limitation in the claim.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-44 are rejected under 35 U.S.C. 102(b) as being unpatentable by Waldner et al. (US 6,665,395).

Waldner et al. disclose claims:

1. A method for providing a Uniform Resource Locator (URL) to a customer comprising:  
receiving a telephone call having a customer identification record including a destination address associated with a communications terminal of the customer; selecting at least one URL to be sent to the destination address; and generating and sending an electronic message containing the at least one URL to the destination address (col.5, lines 34-68).

2. The method of claim 1, wherein the wherein the e-mail contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, merchant information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL (col.6, lines 37-46; col.11, line 55-col.12, line 8).
3. The method of claim 1, further comprising: recording the at least one URL into a bookmark section of a browser in the communications terminal (col.11, line 55-col.12, line 8).
4. The method of claim 1, wherein the customer has a telephone system selected from a digital telephone, a centrex, a PBX, a telephone service provider and combinations thereof.
5. The method of claim 1, wherein the merchant has a telephone system selected from a digital telephone, a centrex, a PBX, a telephone service provider and combinations thereof (abstract).
6. The method of claim 1, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant and combinations thereof (col.6, lines 38-col.7, line 38).
7. The method of claim 1, wherein the communications terminal is a device capable of receiving e-mail ("Web-enabled terminal").

8. The method of claim 1, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address and a telephone number (col.6, lines 38-col.7, line 38).
9. The method of claim 1, wherein each URL comprises an address for connecting to a Website ("Web-enabled terminal").
10. The method of claim 1, wherein the step of recording the destination address comprises: selecting a menu function on a telephone system of the customer for recording the destination address associated with the communications terminal; and specifying the destination address on an interactive display provided by the telephone system of the customer (col.6, lines 38-col.7, line 38).
11. The method of claim 10, further comprising: saving the destination address as part of a caller ID within the telephone system (col.10, lined 38-55).
12. The method of claim 11, wherein the caller ID contains information selected from date, time, customer telephone number, customer name, customer e-mail address or combinations thereof (col.11, line 56-col.12, line 8).
13. The method of claim 1, wherein the step of selecting the at least one URL further comprises: requesting the telephone system of the merchant to provide a menu of URLs, wherein the menu

provides a code associated with each of the URLs; and choosing the at least one URL to capture by entering the associated code, using a keypad on the customer's telephone, for each of the selected URLs (col. 11, line 57-col.12, line 58).

14. The method of claim 1, wherein the step of obtaining the destination address is selected from reading the address from a caller ID, querying the customer to transmit the address to the telephone system of the merchant, or combinations thereof (col. 11, line 57-col.12, line 58).

15. A method for sending a Uniform Resource Locator (URL) to a communications terminal comprising: registering a destination address of the communications terminal with a database maintained by a sender; selecting at least one URL to be sent to the communications terminal during a telephone call to the sender; generating an e-mail by a telephone system of the sender containing the at least one URL; and sending the e-mail containing the at least one URL from a telephone system of the sender to the destination address of the communications terminal (col.6, lines 37-46; col.11, line 55-col.12, line 8; abstract; claim 1).

16. The method of claim 15, wherein the step of sending an e-mail further comprises: detecting the customer identification; and dispatching the e-mail to the destination address registered in the sender database under the customer identification, wherein the customer identification is detected by a technique selected from reading the customer identification from the caller ID, querying the customer for the customer identification, or combinations thereof (col. 11, line 57-col.12, line 58; claim 1).

17. A method for obtaining a Uniform Resource Locator (URL) for use by a communications terminal comprising: selecting at least one URL to be sent to the communications terminal during a telephone call to a sender; automatically providing a destination address to the sender during the same telephone call; and receiving an e-mail message containing the at least one URL from a telephone system of the sender (7; col.11, line 56-col.12, line 8).

18. A computer program product including instructions embodied on a computer readable medium, for sending a Uniform Resource Locator (URL) to a communications terminal, the instructions comprising: recording instructions for recording a destination address of the communications terminal into a telephone system of the customer; selecting instructions for selecting at least one URL to be sent to the communications terminal during a telephone call to a sender; obtaining instructions for the telephone system of the sender to obtain the destination address; generating instructions for generating an e-mail by the sender's telephone system containing the at least one URL; and sending instructions for sending the e-mail containing the at least one URL from a telephone system of the sender to the destination address of the communications terminal (col. 11, line 57-col.12, line 58; claim 1).

19. The computer program product of claim 18, wherein the wherein the e-mail contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, sender information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL (26, 27, 29,, 30, 31).

20. The computer program product of claim 18, further comprising: recording instructions for recording the at least one URL into a bookmark section of a browser on the communications terminal (see "Web-enabled terminal").
21. The computer program product of claim 18, wherein the customer telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof (col.12, line 59-col.14, line 55).
22. The computer program product of claim 18, wherein the sender telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof (col.12, line 59-col.14, line 55).
23. The computer program product of claim 18, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant or combinations thereof (col.12, line 59-col.14, line 55).
24. The computer program product of claim 18, wherein the communications terminal is a device capable of receiving e-mail (see "Web-enabled terminal").
25. The computer program product of claim 18, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address or a



telephone number (abstract; claim 1)

26. The computer program product of claim 18, wherein each URL comprises an address for connecting to a Website (see "Web-enabled terminal").
27. The computer program product of claim 18, wherein the recording instructions for recording the destination address comprises: selecting instructions for selecting a menu function on the telephone system of the customer for recording the destination address of the communications terminal; specifying instructions for specifying the destination address on an interactive display provided by the telephone system of the customer (col.10, lines 38-55; "auto-pop URL").
28. The computer program product of claim 27, further comprising: saving instructions for saving the destination address as part of a customer ID within the telephone system (col.10, lines 38-55).
- 5.
29. The computer program product of claim 28, wherein the caller ID contains information selected from date, time, customer telephone number, customer name, customer e-mail address or combinations thereof (7, 16; col.11, line 56-col.12, line 8).
30. The computer program product of claim 18, wherein the selecting instructions for selecting the one or more URL's further comprises: requesting instructions for requesting the sender telephone system to provide a menu of URLs, wherein the menu provides a code for each of the

URLs; choosing instructions for choosing the at least one URL to capture, wherein choosing is accomplished by entering the code, using a keypad on the customer telephone, for each URL selected (16).

31. A computer system for providing a Uniform Resource Locator (URL) to a customer comprising: receiving means for receiving a telephone call having a customer identification record including a destination address associated with a communications terminal of the customer; selection means for selecting at least one URL to be sent to the destination address; messaging means for generating and sending an electronic message containing the at least one selected URL to the destination address (col. 11, line 57-col.12, line 58; claim 1).

32. The computer system of claim 31, wherein the wherein the e-mail contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, sender information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL (col.6, lines 37-46; col.11, line 55-col.12, line 8).

33. The computer system of claim 31, further comprising: recording means for recording the at least one URL into a bookmark section of the communications terminal's browser (col.10, lines 38-55; "auto-pop URL").

34. The computer system of claim 31, wherein the customer telephone system is selected from a

digital telephone, a centrex, a PBX, a telephone service provider and combinations thereof (col.12, line 59-col.14, line 55).

35. The computer system of claim 31, wherein the sender telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider and combinations thereof (col.12, line 59-col.14, line 55).

36. The computer system of claim 31, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant and combinations thereof (col.1, line 60-col.2, line 19).

37. The computer system of claim 31, wherein the communications terminal is a device capable of receiving e-mail (col.1, line 60-col.2, line 19).

38. The computer system of claim 31, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address and a telephone number (abstract; claim 1)

39. The computer system of claim 31, wherein each of the URL comprise an address for connecting to a Website (10; also see fig.2)

40. The computer system of claim 31, wherein the recording means further comprises: menu

means for selecting a menu function on the telephone system of the customer for recording the communications terminal's destination address; specifying means for specifying the destination address on an interactive display provided by the customer telephone system (col.10, lines 38-55; "auto-pop URL").

41. The computer system of claim 40, further comprising: storage means for storing the destination address as part of a caller ID within the telephone system (col.6, lines 37-46; col.11, line 55-col.12, line 8).

42. The computer system of claim 41, wherein the caller ID contains information selected from date, time, customer telephone number, customer name, customer e-mail address or combinations thereof (col.6, lines 37-46; col.11, line 55-col.12, line 8).

43. The computer system of claim 31, wherein the selection means further comprises: requesting means for requesting the sender's telephone system to provide a menu of URLs, wherein the menu provides a code for each of the URLs; and selecting means for selecting the at least one URL to capture by entering the code, using a keypad on the customer telephone, for each of the at least one URL selected (col.6, lines 37-46; col.11, line 55-col.12, line 8).

44. The computer system of claim 31, wherein the receiving means includes reading means for reading the destination address from a caller ID record (col.6, lines 37-46; col.11, line 55-col.12,

line 8).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Pwu whose telephone number is 571 272-6798. The examiner can normally be reached on 7:45-6:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



2/22/2005

JEFFREY PWU  
PRIMARY EXAMINER